

SEALED**BY ORDER OF THE COURT****UNITED STATES DISTRICT COURT**

for the

District of Hawaii

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII
Sep 17, 2024
Lucy H. Carrillo, Clerk of Court

United States of America)

v.)

JESS KIESEL LEE)

Case No.)

Mag. No. 24-1007 RT)

**FILED UNDER SEAL PURSUANT TO
CRIMLR5.2(a)(1)**

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 7, 2024 in the county of Maui in the
District of Hawaii, the defendant(s) violated:

*Code Section**Offense Description*

18 U.S.C. § 842(i)(1)

Count 1: Possessing, as a convicted felon, an explosive that has been shipped or transported in or affecting interstate or foreign commerce

18 U.S.C. § 844(i)

Count 2: Maliciously damaging, by means of explosives, property affecting interstate commerce

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet.


Complainant's signature

FBI SA Jordan Reigel

Printed name and title

Sworn to under oath before me telephonically, and attestation
acknowledged pursuant to Fed.R.Crim.P. 4.1(b)(2).

Date: 09/17/2024City and state: Honolulu, Hawaii


Rom A. Trader
United States Magistrate Judge

CLARE E. CONNORS #7936
United States Attorney
District of Hawaii

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Attorneys for Plaintiff
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JESS KIESEL LEE,

Defendant.

MAG. NO. 24-1007 RT

AFFIDAVIT IN SUPPORT OF
CRIMINAL COMPLAINT

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, the undersigned complainant, being duly sworn telephonically, state the following is true and correct to the best of my knowledge and belief:

BACKGROUND

1. I am employed as a Special Agent of the Federal Bureau of Investigation (“FBI”), Department of Justice, and have been since November 2016. I completed the twenty-one-week New Agent Training Course at the FBI Academy in Quantico, Virginia. During that training, I received instruction on investigating violations of federal law, report writing, constitutional law, and search warrants, among other topics. Also during my employment with the FBI, I received comprehensive training at the FBI Academy on multiple law enforcement topics, including interviews, interrogations, searches and seizures, computer crimes, and surveillance. I have also been trained in investigative techniques, tactics, firearms, and investigatory tasks, such as conducting surveillance operations and executing search warrants.

2. Further, I have been trained in the collection and analysis of digital evidence, including evidence obtained from computers, cell phones, cell phone providers, and Internet service providers. As a federal agent, I am authorized to investigate violations of the laws of the United States, and I am a law enforcement officer with the authority to execute search and arrest warrants under the authority of the United States. Due to my training and experience as an FBI Special Agent, I am familiar with the United States Criminal Code.

3. I am an “investigative or law enforcement officer” under 18 U.S.C. § 2510, authorized to investigate and make arrests. This affidavit shows probable cause for the requested warrant.

4. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other law enforcement agents and witnesses. This affidavit is focused on establishing probable cause and does not, therefore, cover all details of the investigation.

5. I submit this affidavit in support of a criminal complaint charging Jess Kiesel LEE with (1) possessing, as a convicted felon, an explosive¹ that has been shipped or transported in or affecting interstate or foreign commerce in violation of 18 U.S.C. § 842(i)(1) and (2) maliciously² damaging, by means of explosives, property affecting interstate commerce in violation of 18 U.S.C. § 844(i), both occurring on or about August 7, 2024.

¹ “[T]he term ‘explosive’ means gunpowders, powders used for blasting, all forms of high explosives, blasting materials, fuzes (other than electric circuit breakers), detonators, and other detonating agents, smokeless powders, other explosive or incendiary devices” 18 U.S.C. § 844(j); *see also* 18 U.S.C. § 842(p)(1)(B); (classifying “flash powders” as “high explosives,” pursuant to rule-making authority listed in 18 U.S.C. § 847).

² “Maliciously” means the actor “either intentionally damages or destroys property covered by § 844(i) or acts with willful disregard of the likelihood that damage or injury would result from his or her acts.” *Togonon v. Garland*, 23 F.4th 876, 878 (9th Cir. 2022) (quotation marks and citation omitted).

PROBABLE CAUSE

6. On August 7, 2024, around 4:45 p.m., Maui Police Department (“MPD”) officers encountered multiple improvised explosive devices (“IEDs”) near Kaamana Street in Kula, Hawaii (the “Incident Location”). MPD determined that multiple IEDs had been detonated along the roadway at that location. There were several undetonated IEDs at the location as well, including the ones pictured below:



One of the detonated IEDs had been constructed with pipe, attached to a guardrail, and detonated. That detonation appeared to have caused considerable damage to the guardrail and the vicinity. A picture of that guardrail is shown below, on the left, alongside a picture of a neighboring guardrail for comparison, on the right; the

guardrail depicted on the left is surrounded on the ground by what appeared to be remnants of detonated IEDs, including segments of a bungee cord:



The undetonated IEDs and the remnants of detonated IEDs were fairly consistent in their components and materials with that of homemade, illegal fireworks.

7. After rendering the IEDs found at the Incident Location safe, MPD personnel sent those IEDs to the FBI Laboratory for analysis. FBI personnel trained in analysis of explosives determined the IEDs were firearms that contained explosive and incendiary material capable of causing destruction by explosive

force. Preliminary FBI Laboratory analysis subsequently determined that the IEDs did not appear to have been crafted as weaponized devices, based on a cursory review of information available to the examiners. That preliminary analysis maintained, however, that the devices were improvised explosive devices (IEDs) capable of creating explosive and/or hazardous outcomes.

8. FBI Laboratory analysis detected and identified one latent fingerprint matching known fingerprints for Jess Kiesel LEE, on the adhesive side of masking tape on one of the functioned IEDs recovered from the Incident Location. That particular IED had been located and seized approximately 15 to 25 feet from the damaged guardrail, pictured above. And that particular IED is believed to contain a mixture of strontium carbonate, aluminum, and a component consistent with potassium perchlorate, according to preliminary analysis from FBI Laboratory. Based on my knowledge of explosives and from my discussions with subject-matter experts, I know that aluminum and potassium perchlorate can form flash powder, an explosive. I also know, based on my knowledge and my discussions with experts, that such precursor chemicals are unlikely to have been produced in the State of Hawaii and, instead, are likely to have been sourced in and affecting interstate or foreign commerce. Moreover, I know based on my training and experience, that no company manufactures and assembles flash powder in the State of Hawaii.

9. A database search of Jess K. LEE resulted in the discovery of several prior criminal convictions under Hawaii state law to include felony convictions for assault and terroristic threatening. Database query results also revealed LEE's registered address in Kula, Hawaii is approximately a five-to-ten-minute drive from the Incident Location. Further, database searches showed several phone numbers associated with LEE, including an 808 number ending *6652, and email addresses associated with LEE, including grandmasterlee1999@[redacted].com.

10. On August 28, 2024, investigators obtained information from Company A, an online retail company that sells pyrotechnic chemicals and supplies, concerning LEE. According to Company A, LEE maintained an account with Company A. The account information included the email grandmasterlee1999@[redacted].com and, as LEE's mailing address, the same registered address in Kula, Hawaii described above. I know from prior investigations and open-source information that Company A is headquartered on the continental United States and ships some of its pyrotechnic products to customers in the State of Hawaii.

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CONCLUSION

11. Based on the foregoing facts, I submit there is probable cause to charge Jess Kiesel LEE with (1) possessing, as a convicted felon, an explosive that has been shipped or transported in or affecting interstate or foreign commerce in violation of 18 U.S.C. § 842(i)(1) and (2) maliciously damaging, by means of explosives, property affecting interstate commerce in violation of 18 U.S.C. § 844(i), both occurring on or about August 7, 2024.

Respectfully submitted,



Jordan Reigel
Special Agent
Federal Bureau of Investigation

This Criminal Complaint and Affidavit in support thereof were presented to, approved by, and probable cause to believe that the defendant above-named committed the charged crime found to exist by the undersigned Judicial Officer at 1:05 p.m. on September 17, 2024.

Sworn to under oath before me telephonically, and attestation acknowledged pursuant to Fed. R. Crim. P. 4.1(b)(2), this 17th day of September 17, 2024, at Honolulu, Hawaii.





Rom A. Trader
United States Magistrate Judge